IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.888 OF 2004

Virendra Vidhyadar Divate .. Petitioner.
Vs.
1.Sarika Virendra Divate ..
2.State of Maharashtra .. Respondents.

Mr.Surel S.Shah for the petitioner.
Mr.A.S.Gadkari APP for respondent no.2.

CORAM : D.B.BHOSALE, J.

DATED : 12TH AUGUST, 2004

P.C.:

. Heard Mr.learned counsel for the petitioner and Mr.learned A.P.P. for respondent no.2.

2. The petitioner has impugned the order dated 7.4.2004 passed below Exhibit 57 in Miscellaneou Application No.18 of 2000 by the J.M.F.C. Kalyan, District Thane. By that order the court has granted police protection at the time of recording of the evidence and on the date of evidence. I find absolutely no infirmity in the order requiring further clarification. In my opinion, the order is absolutely clear by which the police protection is provided on the date of recording of the evidence. Mr.Shah, learned counsel for the petitioner, on

instructions, submitted that the petitioner proposes to reach Kalyan on the date of evidence and leave in the evening if his evidence get over on the same day. Keeping that in view it is open for the petitioner to keep informed the police station of his arrival and departure from Kalyan so as to enable them to provide protection to the petitioner on the date of the evidence. Needless to say that if the evidence of the petitioner does not get over and he is required to stay back, his police protection shall continue till his evidence is concluded and he leaves Kalyan. With this observation this petition is disposed of.

(D.B.Bhosale, J.)